

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARY CHAPMAN,)	
)	No. CV-09-222-JPH
Plaintiff,)	
)	ORDER GRANTING STIPULATED
v.)	MOTION TO REMAND
)	
MICHAEL J. ASTRUE,)	(Ct. Rec. 21)
Commissioner of Social)	
Security,)	
)	
Defendant.)	

The parties filed a stipulated motion for remand of this case to the Commissioner for further administrative proceedings (**Ct. Rec. 21**). The parties have filed a consent to proceed before a magistrate judge (Ct. Rec. 10).

After considering the stipulation, **IT IS ORDERED** that the motion (**Ct. Rec. 21**) is **GRANTED**. The case is **reversed and remanded** pursuant to sentence four of 42 U.S.C. § 405(g).

Upon remand, the Administrative Law Judge (ALJ) will:

(1) conduct a new hearing, further develop the record, and issue a new decision;

(2) reevaluate and further develop the medical evidence;

(3) reevaluate steps 2 and 4 of the sequential evaluation;

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1 (4) reevaluate plaintiff's credibility pursuant to SSR 96-7p;
2 (5) reevaluate plaintiff's RFC pursuant to SSR 96-8p, and
3 (6) perform new steps 4 and 5 of the evaluation process with
4 the aid of a VE if necessary.

5 Because this remand is pursuant to sentence four of 42
6 U.S.C. § 405(g) with a remand of the cause to the Commissioner for
7 further proceedings (*See, Melkonyan v. Sullivan*, 501 U.S. 89
8 (1991)), plaintiff is entitled to reasonable attorney's fees and
9 costs pursuant to 28 U.S.C § 2412(a),(d), upon proper request to
10 this Court.

11 Accordingly, this court **reverses** the Commissioner's decision.

12 **IT IS FURTHER ORDERED:**

13 1. The parties' stipulated motion for an order of remand
14 (**Ct. Rec. 21**) is **GRANTED**.

15 2. Judgment shall be entered for the **PLAINTIFF**.

16 3. An application for attorney fees and costs may be
17 filed by separate motion.

18 4. The District Court Executive is directed to enter
19 this Order, forward copies to counsel, and **close** this file.

20 **IT IS SO ORDERED.**

21 **DATED** this 5th day of August, 2010.

22
23 s/James P. Hutton
24 JAMES P. HUTTON
25 UNITED STATES MAGISTRATE JUDGE
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